three gentlemen for the prosecution will make a speech. We have no objection." Mr. Bouldin quickly replied that the Commonwealth was only represented by two counsel.

WHITEHEAD NOT IN CASE, SAYS BOULDIN

"Mr. J. Whitehead is surely in the case," asserted Mr. Lee, "for he has made suggestions and has offered a motion."

Mr. Bouldin, speaking slowly and distinctly, replied: "Mr. Whitehead has no connection with this case."

Judge Barksdale thereupon ruled that the Commonwealth could only be allowed two speeches.

The matter caused considerable commotion, as Mr. Whitehead has been sitting beside Mr. Harmon ever since the trial began, and has been active in making notes and in offering suggestions. It has been noticeable, however, that he has not been consulted by Mr. Bouldin. In his address to the jury Mr. Harmon was not aggressive, confining himself to the law of the case, and indulging in no thrusts at the accused. He made a strong plea for punishment, and insisted that Judge Loving had acted coolly and with great deliberation, planning the killing of Estes in cold blood and carrying out his plan calmly.

He ridiculed the idea of the prisoner being insane and spoke in scornful terms of insanity and experts who, he said, could be bought by those who could afford luxuries.

STRODE APPEALS ON UNWRITTEN LAW BASIS

Mr. Strode followed Mr. Harmon, and made an argument and an appeal which apparently greatly impressed the jury. After arguing the case from a legal standpoint he told in simple but eloquent language the pathetic story of Judge Loving's life from the time he came to the bar a brilliant young man until twenty-five years later he shot down the man whom his daughter declared had attempted to assault her.

The story was well told, with picturesque touches here and there of the fall into the mire of dissipation; of the battle against drink; of his regained position; of his devotion to his only daughter, and then when calmness had followed the storm of his life, of the fearful blow which had fallen upon him and of his determination to wipe out the dishonor which had been cast upon his name.

Mr. Strode's argument loaned towards the "unwritten law," and he closed with an appeal to the jury to acquit the man who had been quick to resent the dishonor of his daughter, and who had not feared to uphold the sanctity of his home.

To-morrow morning, when court opens at 9:30, ex-Senator Barksdale will speak for the defense, followed by Hon. Walton Moore and Mr. John L. Lee.

It is thought that the speeches of these gentlemen will not consume more than three and one-half hours, and Mr. Wood Bouldin, who will close for the State, will conclude his address by 4 o'clock, when the case will go to the jury.

It seems probable, therefore, that a verdict will be reached by 6 o'clock, or certainly before midnight.

INSTRUCTIONS GIVEN BY COURT

Morning Hours Spent in Discussion of Papers Submitted by Both Sides.

HOUSTON, VA., June 28.—Despite a pouring rain, one of the largest crowds of the trial filled the courtroom when the case proceeded this morning at 10 o'clock. Judge Loving, the prisoner, was accompanied into court by his brother, and Mr. John Swanson sat beside the lawyers for the prosecution.

After a delay of an hour, occasioned by the preparation of instructions, Judge Barksdale dismissed the jury until 2 o'clock, saying that it would take until that time to argue the instructions. During the interval before argument began Judge Loving read the instructions prepared by his counsel and discussed them.

Argument on the instructions began at 12:40 o'clock. The defense objected to all instructions offered by the prosecution and objected specifically to instructions Nos. 3, 6, 7, 8, 13, 14, 15, 16, 17, 18.

The Commonwealth objected to the following instructions offered by the defense, Nos. 1, 5, 6, 7, 9, 10, 12, 13, 14 and 15.

In discussing the last objection Mr. Bouldin said that he could not agree with "that Irishman up in New York in the Thaw case. I am told that Mr. Jerome drank a bottle of whiskey every day during the trial."

Mr. Moore interrupted to say: "Perhaps the prosecuting attorney in this case would thing the same way under the same circumstances."

Mr. Bouldin laughingly replied, "I might if some one would offer me the whiskey."

The Commonwealth offered eighteen and the defense offered seventeen instructions.

Court's Instructions.

Judge Barksdale then took the instructions offered by both sides under advisement, and adjourned court until 3 o'clock, when he announced the following:

The court instructs the jury as follows, to-wit:

1. Murder is the unlawful killing of any person with malice aforethought, and is distinguished by the law of Virginia as murder of the first and murder of the second degree.

2. Murder by poison, lying in wait, imprisonment, starving or any wilful, deliberate and premeditated killing, or in the commission of, or attempt to commit arson, rape, robbery or burglary, is murder of the first degree. All other murder is murder of the second degree.

3. Every homicide in Virginia is presumed to be murder of the second degree; in order to elevate the offense to murder of the first degree, the burden of proof is upon the Commonwealth, and to reduce it to manslaughter the burden of proof is upon the prisoner.

4. To constitute wilful, deliberate and premeditated killing, it is necessary that the killing should have been done on purpose and not by accident, or without design; that the accused must have reflected with a view to determine whether he would kill or not, and that he must have determined to kill as the result of the reflection before he does the act—that is to say, the killing must be a predetermined killing upon consideration, and not a sudden killing upon the momentary excitement and impulse of passion upon provocation given at the time, or so recently before, as not to allow time for reflection; and this design to kill need not have existed for any particular length of time.

It may be formed at the moment of the commission of the act.

5. Manslaughter is the unlawful killing of a human being without malice aforethought, express or implied; and it may be either voluntary upon sudden passion or heat of blood caused by reasonable provocation, or involuntary in the commission of some unlawful act.

6. To reduce homicide from murder to manslaughter, the killing must take place under the first transport of passion, for if the passion had time to cool or the blood had actually cooled, the killing is not reduced to manslaughter. If the slayer reflected, deliberated at any time before the fatal act was done, or if he had reasonable time or opportunity for cooling, the killing will amount to murder. But this instruction is to be read in connection with No. 7.

7. There is no fixed rule for determining how much time is required for cooling; in the nature of things this must depend upon the facts of each particular case, and the nature and provocation have determining what is cooling time the inquiry is whether the suspension of reason arising from sudden passion continued from the time the provocation was received to the very instant that the fatal act was done, for if from any circumstances whatever the slayer reflected, deliberated or cooled before the fatal act was done, or there was time or opportunity for cooling, the killing will amount to murder, as being attributable to malice and revenge rather than human frailty.

It is enough to show that there was a reasonable time for cooling, for the law requires that men shall act reasonably in controlling their passions. But the jury are the sole judge of whether, under all the circumstances of any case, passion has actually cooled, and are likewise sole judges of whether, under all the circumstances of any case, there has been opportunity for cooling.

8. If the jury believes from the evidence that the accused shot and killed Theodore I. Estes wilfully, deliberately and premeditatedly, the crime is murder of the first degree; but if at the time of the killing the accused was laboring under ungovernable passion, aroused by the communication made to him by his daughter and his brother-in-law, H. S. Snead, and that in the first transport of passion, aroused by said communications, he shot and killed the deceased before his passion had actually cooled, or his blood had time to cool, then said killing was voluntary manslaughter. But this instruction must be read in connection with No. 7.

9. The court instructs the jury that the defendant is in law presumed to be innocent of the crime with which he is charged, and this presumption of innocence continues and applies at every stage of the case until his guilt is established by evidence beyond a reasonable doubt, and unless and until it is so established, he is entitled to a verdict of acquittal.

10. The court instructs the jury that except as to the defense of insanity (in respect to which the burden is on the defendant to establish it to the satisfaction of the jury), the defendant is entitled to the benefit of every reasonable doubt in the consideration of the case, the law, which has a deep and careful regard for the life and liberty of every citizen, giving him the benefit of any such doubt that may exist.

11. The court instructs the jury that every fact, whether direct or circumstantial, essential to the establishment of the guilt of the accused, must be proven to the satisfaction of the jury beyond all reasonable doubt, and any conclusions derived therefrom must be free from such doubt. And in this connection the jury is further instructed that conjecture, speculation and theory, however plausible, ought not to and must not be considered by them to the disadvantage of the defendant, and a reasonable doubt upon the whole case, or upon any material fact, entitles the accused to a verdict of not guilty.

12. The court further instructs the jury that a reasonable doubt is such a substantial doubt as would cause a man of average prudence to hesitate and be uncertain with respect to matters of his own of grave importance.

13. The court instructs the jury where circumstances are invoked, and to any extent relied on to produce the conclusion of guilt, they must be of such a convincing character as to exclude every hypothesis consistent with innocence.

They must be so strong as to convince to a moral certainty, and if they do not measure to this test, they must be discarded.

14. Insanity in contemplation of law is any defect, weakness or disease of the mind, rendering it incapable of entertaining, or preventing its entertaining, in the particular instance, the criminal intent, which constitutes one of the elements of every crime.

15. An accused person is not criminally responsible for an act if he was so insane at the time he committed the act that he was incapable of entertaining a criminal intent.

16. Every person is presumed by law to be sane, and when insanity is relied on as a defense for crime the burden of proving such insanity to the satisfaction of the jury rests on the accused; in such cases it is not sufficient that the evidence raises a rational doubt as to whether the accused was sane or not when he committed the act.

17. If the jury believe from the evidence that the accused killed Theodore Estes, and at the time of said killing the accused understood the nature and character of his act, and its consequences, and that it was criminal and wrong, and that he would be liable to be punished if he committed it, and at the same time possessed full power over and control of his will, then he is responsible for such killing.

18. If the jury believe from the evidence that the accused killed Theodore I. Estes, and that he was impelled to such killing by a homicidal impulse urging him to commit the act, such impulse is not sufficient to exempt him from responsibility for such killing, unless the jury are satisfied from the evidence that the mind of the accused was diseased at the time of the killing, and that the accused was unable to know at that time what he was doing, and that the act was criminal and wrong and would render him liable to be punished if he committed it, or that he had lost power over and control of his will.

19. Ungovernable passion or unrestrained temper arising merely from a perverted and abnormal condition of the moral system, where the mind is unimpaired by disease, furnishes no exemption from responsibility for the commission of crime.

20. While the opinions of experts on the question of insanity are entitled to much weight, yet they are not conclusive of the question. The jury must consider their opinions along with the opinions of the non-experts and all the evidence in the case bearing on the question of insanity, and from their own judgment on consideration of all of the evidence.

21. The court further instructs the jury that if they shall believe from the evidence that the defendant was not mentally deranged at the time of the homicide, but that he slew the deceased in the heat of passion, provoked by the communication alleged to have been made to him by his brother-in-law, and daughter, then he can be convicted of no higher grade of offense than manslaughter.

22. The court further instructs the jury if they shall believe from the evidence that the defendant was insane, or mentally deranged at the time of the homicide, then they must acquit him.

23. The court instructs the jury that any antecedent and subsequent conditions of mind, while they may be indicative of the condition of the mind at the time of the act, are not conclusive thereof. The inquiry must always be, what was the condition of the mind at the time of the act, which is to be determined from all the facts and circumstances of the case. If at the time of the act a person is insane or mentally deranged, then he is entitled to be acquitted.

24. The court instructs the jury that the law does not require any single rigid test of the existence of insanity or mental derangement.

25. The court instructs the jury that the law does not recognize any particular period of an insane or deranged condition.

26. The court instructs the jury that if they believe from the evidence that stress or strain upon the mind of the defendant at the time of the commission of the homicide, arising out of the communication made to him by his brother-in-law and daughter, with respect to the treatment to which she had been subjected by the deceased, combined with a diseased brain, so operated upon the mind of the defendant as that his reason was dethroned, and his mind so impaired as that he became temporarily insane, and that he was thereby rendered incapable of governing himself in reference to the deceased, the jury should find a verdict of acquittal.

27. The court further instructs the jury that if they believe from the evidence that the brain of the defendant, by reason of long continued and excessive use of the alcohol and of attacks of delirium tremens had become diseased, and that while he was in such condition he learned from the lips of his only daughter that she had been drugged by the deceased, and that while in a helpless condition he had forced himself upon her in spite of her resistance and cries, and had placed his hand over her mouth to prevent her cries being heard, and that by reason of such information so imparted to him, and by reason of the diseased and weakened condition of his brain, he was rendered insane, and while in such condition slew the deceased, the jury must find him not guilty.

28. The court instructs the jury that they must not concern themselves as to whether the communications made to the defendant by his brother-in-law and daughter, and which are claimed to have influenced his action, were true or false. The truth or falsity of such communication is not an issue in this case. As to such communication the jury must only ascertain from the evidence whether they were made to the defendant as testified; whether he believed them, and whether and to what extent they influenced his subsequent action; and in making this inquiry the jury is to give to the defendant the benefit of every reasonable doubt.

29. The court further instructs the jury that they must not allow any prejudice against the defense of insanity to influence them in considering whether the homicide was committed in and as a result of that condition. The law of Virginia guarantees to the defendant an absolute and valuable right to make and to have that defense considered along with any other defense he may think proper to make, and if that defense is made out as required by law, the defendant is entitled to a verdict of acquittal.

30. The court instructs the jury that the accused being charged with a crime is entitled to have the benefit of all the principles of law and the rules of practice as laid down by the court, designed to safeguard life and liberty, and therefore the jury must not regard in the slightest degree prejudicial to the defendant the fact that his counsel may have entered an objection to the admission of certain evidence, and asked for the consideration of certain matters out of the presence of the jury. Such a fact is of no importance, and must have no place or thought in the consideration of this case; nor is any importance to be attached to any question asked by counsel which the court did not permit to be answered.

31. In criminal cases the jury is not to regard the evidence as equally balance merely because a number of witnesses testify directly opposite to each other. The jury should determine the weight and credibility of evidence from the appearance of the witnesses on the stand, their manner of testifying, their apparent candor, fairness, impartiality, and all the surrounding circumstances appearing on the trial.

32. One accused of crime is entitled to the benefit of every reasonable doubt which arises in the minds of the jury upon a candid and impartial investigation of the evidence; but not to doubts raised by the ingenuity of counsel independently of the evidence.

33. The court further instructs the jury that in Virginia the term "insane person" includes every one who is an idiot, lunatic, non compis or deranged.

HARMON OPENS FOR PROSECUTION

Strode Follows and Asks Acquittal on Grounds Both of Insanity and Justification.

HOUSTON, VA., June 28.—It was exactly 3:30 o'clock when Judge Barksdale opened the afternoon session and made an address to the jury concerning the instructions, which he then proceeded to read. There are thirty-three instructions alone, evenly chosen from those offered by both sides, and with but few alterations.

The courtroom was crowded, even the aisles being packed and the windows filled with people eager to hear the argument. With Judge Loving, the accused, sat his wife, her sister, Mrs. Chalkley, of Richmond; his son and his brother, the Mayor of Pulaski. Miss Elizabeth Loving was not in court. On the side of the prosecution sat Sheriff Estes, father of the young man killed by Judge Loving, and Mr. John Swanson, who married a sister of the Estes. Judge Barksdale concluded reading the instructions at 3:50 o'clock.

It was agreed that a speech on each side should be made to-night, even if an extra session might be held. Mr. Bouldin asked that as the defense had four lawyers who would speak, the Commonwealth be allowed three speeches. Mr. Lee said the defense was willing if no lawyer make more than one speech. Mr. Bouldin said there were only two lawyers in the prosecution:

"What about Mr. Whitehead?" asked Mr. Lee.

"He is not in the case," replied Mr. Bouldin.

Judge Barksdale announced that no lawyer could make, but one speech, and at 4 o'clock, Mr. Daniel Harmon opened the argument before the jury for the Commonwealth.

He asserted that he would not indulge in vituperation, that the prisoner had now more on his mind than he could bear. The prisoner, he said, was innocent until he was proved guilty, and that the proof of his guilt must be beyond a reasonable doubt.

Estes's Guilt or Innocence.

Mr. Harmon sketched the character of Judge Loving, asserting that he was a man of violent temper and bad disposition. Knowing this, he said, Theodore Estes did not attempt to flee the county after his drive with Miss Loving, did not arm himself and did not try to escape from the car when Judge Loving approached with a gun.

"Under the evidence in this case as his Honor has instructed, there is no evidence in this case to show that Theodore Estes was guilty or innocent and you cannot base your verdict in this case on the assumption that this boy had been guilty of any offense," said Mr. Harmon, who over and over again impressed upon the jury that nothing had been shown to besmirch the character of the dead boy.

"He is innocent," the speaker exclaimed, "until he is proved guilty, and he has not been proved guilty."

Mr. Harmon had a slap at the medical experts, calling them "expert experts," making fun of their testimony, and saying that according to the experts, every member of the jury was insane.

The speaker explained the difference between murder in its two degrees, and manslaughter, and insisted that no verdict in this case could be less than manslaughter, because he insisted the prisoner had had time to "cool" and had not acted in the sudden heat of passion, and that, therefore, the act was murder.

He argued that the prisoner had been cool in planning the killing, in choosing six buckshot shells, so that he could kill the father of Estes as well. Mr. Harmon sketched the prisoner's journey in search of Estes, and declared that all the time he was thinking and deliberating.

Went to Kill Deliberately.

"He did not jump out of his buggy at the depot and kill Estes in a sudden passion, but he went to the livery stable, placed his horse in the keeping of a negro and then went quietly to do the deed." Mr. Harmon read from Judge Loving's testimony and urged that the deed was premeditated, quoting the language of the prisoner: "I went to seek him and take his life." With dramatic gesture and earnest voice the speaker exclaimed: "I would not be in the position of Judge Loving for all the wealth of this great Commonwealth, for what escape is there for this unhappy man?" Touching on the plea of insanity, Mr. Harmon made light of it, and said that experts could be secured to testify to anything legitimate if a man only had money enough. The speaker said that if a verdict of acquittal was brought in he would ask the judge to have the jury say whether or not the acquittal was on the ground of insanity.

He said that Judge Loving had said to 'Squire Perkins that he was not insane and that he did not claim to be, and that he gave other reasons for the deed. He said he did not ask any verdict, but that he had endeavored to show the evidence in the case and that the responsibility had been shifted from his shoulders to the shoulders of the jury. Mr. Harmon resumed his seat, after having spoken for an hour and thirty-five minutes.

Mr. Strode Speaks.

Mr. Aubrey E. Strode for the defense followed Mr. Harmon, after a short recess.

Mr. Strode began speaking at 5:45 o'clock, paying the usual compliment to the jury for the attention they had given to the case, expressing the gratification of his client that the case is being tried by the people of Halifax, and paying a high and deserved tribute to Mr. Wood Bouldin, whom, he said, had discharged an unpleasant duty zealously.

Then turning directly to the case he pictured the alleged crime, which caused the death of Estes and described it as being more heinous than murder. Murder, he said, was punishable with death, but attempted murder meant only a prison. Assault on a woman, he asserted, meant death, and an attempt at outrage was as great a crime under the law as is the outrage. His words were eloquent when he alluded to Theodore Estes, and said that he had only sympathy for his family, but he said it was not a question for the jury—the character of Estes or Miss Loving—but the point at issue is what provocation Judge Loving had to kill young Estes and what was the nature of the story told the accused by his daughter.

Mr. Strode pictured the pitiful story told the father by his young daughter, and asked them what they would have done had such a story been narrated to them by the one they loved.

He asserted that they would have acted as the accused had acted, and he said that, had Judge Loving acted only on the story related to him by Snead, of his daughter being drunk and insensible, no man of you would have thought he acted hastily. He scorned the idea that the story told by Judge Loving, Miss Loving and Harry Snead was not true.

"What other reason was there for Judge Loving to kill Estes?" asked Mr. Strode. "Why, if there were other reasons, have not the counsel for the prosecution brought them out in evidence? I will not insult your intelligence by arguing this matter."

Story of Loving's Life.

Mr. Strode, in touching words, then proceeded to tell fully the story of Judge Loving's life, of his youth full of promise, of his fall through drink, and his struggle back to position, of his daughter, the dearest creature in the world to him, of her story of ruin, and of the fearful results that followed.

It was a gem of word-painting, carrying conviction for its earnestness and pathos. On the question of insanity, Mr. Strode said that the defense had gotten one of the most distinguished experts in the country, and that, further, they had gotten a Halifax county physician, one who enjoyed the confidence of his neighbors, who said the prisoner was insane, and that the expert put upon the stand by the prosecution had told the jury that the provocation put upon Judge Loving was the most intense strain that could be placed on the brain of any man.

Mr. Strode closed with these words:

"The duty of our people is to protect the honor and the virtue of our women, and I appeal to you men not to break the record of a hundred cases in this country of ours, in not one of which has a man been convicted for protecting the sanctity of his home—I care not whether he be insane, as we have proved this man to be, or if he be sane, as the expert for the prosecution has declared."

Mr. Strode finished speaking at 7 o'clock, and at the conclusion of his address Judge Barksdale adjourned court until to-morrow at 9:30 o'clock, when ex-Senator Barksdale, of this county, will speak for the defense.

"UNWRITTEN LAW."

Judge Barksdale Strikes Out Prosecution's Instruction Bearing on It.

HOUSTON, VA., June 28.—The following instructions, prepared by the prosecution, touching on the "unwritten law," was stricken out by the court:

"No man under the protection of the law has a right to be the avenger of his own wrongs. If they be of a nature for which the laws of society give him an adequate remedy, thither should he resort; but, be they of any nature whatsoever, he has no right to avenge them, except in the manner prescribed by the law. The 'unwritten law,' by which is meant the right of the citizen to become the avenger of his own wrongs in a manner not authorized by law or against the law, has no place in the criminal jurisprudence of Virginia."

BOATING MEN ARE SORE ON HARRIMAN

Resent His Interference on River, Which Might Have Been Serious.

NEW LONDON, CONN., June 28.—The arrest of E. H. Harriman for interfering with the varsity race last evening was the talk of the river to-day. Mr. Harriman was not spoken kindly of by the boating men, who year after year have labored ceaselessly to make it possible for crews that have trained for six months to row a twenty-minute race without having the lives of the oarsmen endangered and the sport of the race spoiled by fast boats.

When Lieutenant Billard returned at the Gresham last evening he turned Mr. Harriman over to Captain J. L. Sill, of the revenue cutter Dexter, who was the senior officer in charge of the course. Captain Sill ordered Mr. Harriman's powerboat tied up at the navy yard, and then allowed Mr. Harriman to go down the harbor and board his yacht, the Sultana, which was lying off the Pequot House. Mr. Harriman immediately left.

Mr. Harriman had with him last evening when he was arrested his son, who is a student at the Groton School, where, it is understood, he is preparing for Harvard. Young Harriman had with him a school friend. Mr. Harriman also had with him on his powerboat two ladies, whose names were not learned.

Neither the Sultana or the powerboat was in the harbor this morning, both having left during the night.

He, She and It.

Diplomatic Bachelor (who has forgotten whether the baby is a boy or girl)—Well, well, but he's a fine little fellow, isn't she! How old is it now? Do her teeth bother him much? I hope he gets through its second summer without getting sick. She looks like you, doesn't he? Every one says it does.—Puck.

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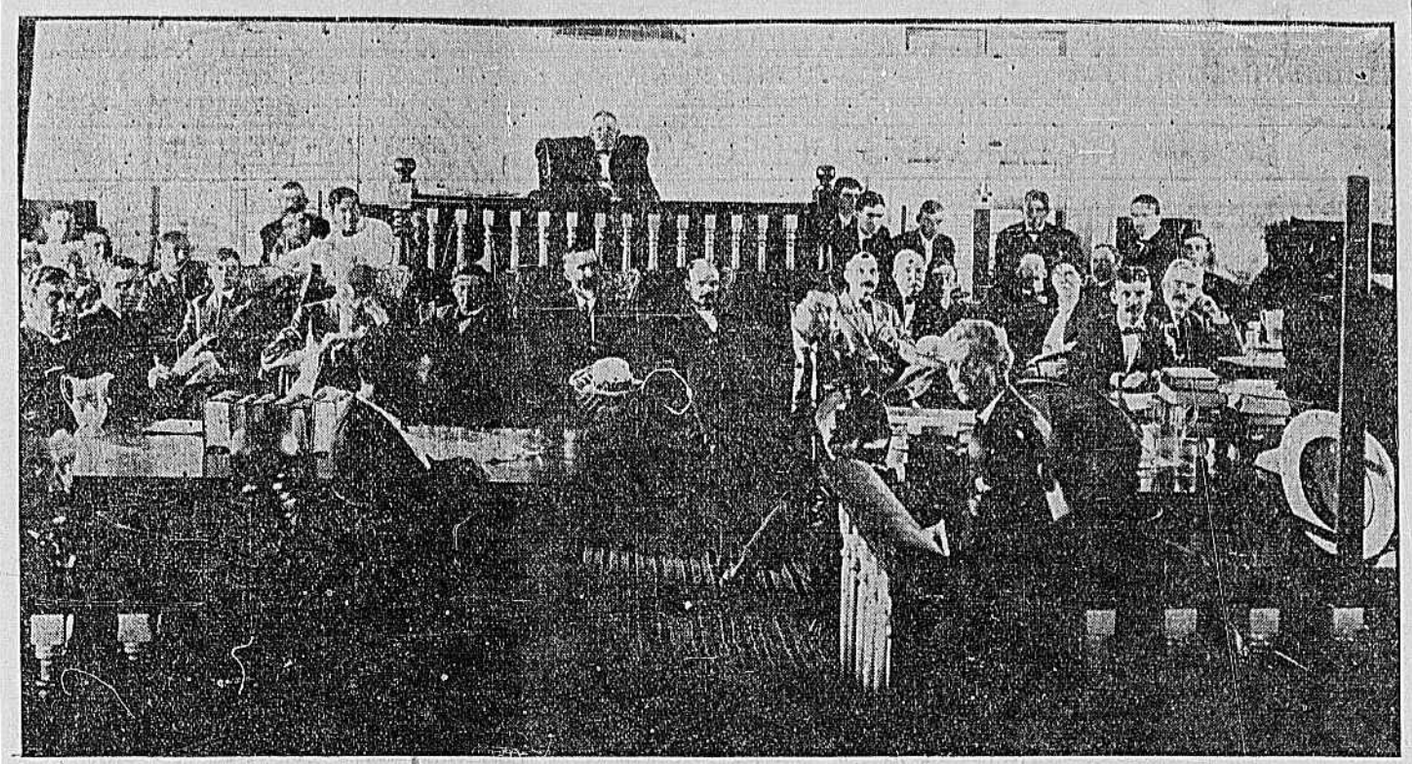
MEN'S & BOYS' OUTFITTERS

SCENE IN HALIFAX COURTHOUSE DURING TRIAL OF JUDGE LOVING FOR KILLING THEODORE ESTES



BLACK HAND THREATENS JUDGE W. R. BARKSDALE

Will Blow Up the Town if Loving is Not Hanged. Lawyers Discuss Court's Ruling on Admission of Collateral Evidence.

(Special to The Times-Dispatch.)

HOUSTON, VA., June 28.—Judge Barksdale received this morning a letter from New York from the "Black Hands," saying that 700 members of that organization had determined to kill him and wreck the town of Houston, unless Judge Loving was hanged. It also suggested that Miss Loving should be hanged. The letter was signed with two black hands, and had a postscript, saying that a member of the gang was in Houston, and asked Judge Barksdale to try and "pick him out." The letter is evidently the work of a crank, who has been wrought up by certain imaginary pictures of the Loving-Estes tragedy printed in a New York paper.

The language of the letter is picturesque in the extreme, with a "dam" thrown in at a critical situation. The whole lot are "theaves," says the letter, with a fair sample of the spelling likewise shown. Evidently the authors of the illuminating epistle are advocates of the "simplified spelling" system.

Judge Loving laughed heartily in reading the letter.

Discuss Court's Ruling.

In discussing an editorial which appeared in an afternoon Richmond paper, Messrs. Lee and Moore, who were of counsel in the Strother case, stated this morning that the ruling of Judge Barksdale excluding testimony as to what is alleged to have occurred on the drive of April 21st, and confining it to the communication made to Judge Loving, is identical with Judge Harrison's ruling in the Strother case. In the latter case testimony was offered which the prosecution claimed would show that Bywaters really intended to marry Miss Strother and could have had no thought of deserting her, but it was excluded, Judge Harrison holding that nothing was relevant except the information received by the defendants prior to the shooting, and that such information was relevant on the question of provocation and the question of insanity.

The attorneys further stated that they hoped the public will not infer from testimony being objected to that the defendant for one moment concedes that it would confirm the claim of the prosecution or justify any of their contentions; but that they themselves and their colleagues had determined from the start, for reasons of the most serious and weighty character, to ask that the case be tried according to the well-settled principles of law, including the rules of evidence which, as the attorneys for the defense contend, almost universally obtain. They stated significantly that the enforcement of the rules of evidence is often essential to prevent a perversion of the truth.

THE WEATHER

Forecast: Virginia—Showers Saturday and Sunday; warmer Sunday; light to fresh south winds.

North Carolina—Showers Saturday; Sunday fair and warmer; light, variable winds.

CONDITIONS YESTERDAY.

Richmond's weather was cooler and rainy. Range of the thermometer;

9 A. M.	73	6 P. M.	68
12 M.	75	9 P. M.	66
3 P. M.	71	12 midnight	68

Average.....70 1-6.

Highest temperature yesterday	75
Lowest temperature yesterday	66
Mean temperature yesterday	70
Normal temperature yesterday	77
Departure from normal temperature	7

CONDITIONS IN IMPORTANT CITIES At 8 P. M., Eastern Time.

Place.	Ther.	H. T.	Weather.
Asheville, N. C.	68	72	Rain
Augusta	68	74	P. cloudy
Atlanta, Ga.	68	74	Rain
Buffalo, N. Y.	74	76	Clear
Chicago, Ill.	68	70	P. cloudy
Cincinnati, O.	72	74	Rain
Davenport	78	80	Clear
Detroit, Mich.	74	76	Clear
Hatteras, N. C.	72	80	Rain
Jacksonville	72	82	Rain
Kansas City	80	82	Clear
Memphis	78	78	Clear
New Orleans	84	90	P. cloudy
Oklahoma City	82	84	Cloudy
Pittsburg, Pa.	76	82	Cloudy
Raleigh	66	76	Rain
Savannah	74	80	Rain
Norfolk, Va.	70	76	Rain
Tampa, Fla.	82	86	Rain
Washington	70	82	Rain
Wilmington	68	82	Rain
Yellowstone	64	70	Rain

MINIATURE ALMANAC.

June 29, 1907.

Sun rises	4:53	HIGH TIDE.	
Sun sets	7:34	Morning	7:23
Moon rises	11:56	Evening	7:56

C. & O.

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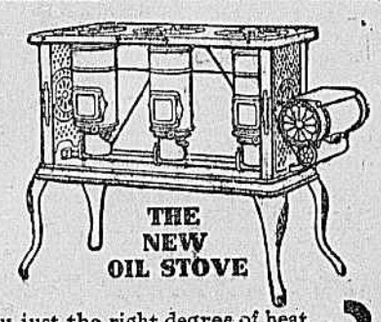
ARBUCKLE BROS., New York City.

Just the Right Heat



No matter what you may wish to cook, the New Perfection Oil Stove will give you just the right degree of heat instantly. No uncertainty with this stove. It's the *perfected* oil stove—embodies new features, new principles. On washing and ironing days the

NEW PERFECTION

Wick Blue Flame Oil Cook-Stove

will cut the work in two. Gives quick results without overheating the kitchen. Made in three sizes. Every stove warranted. If not at your dealer's, write our nearest agency for descriptive circular.

The Rayo Lamp

is the best lamp for all-round household use. Made of brass throughout and beautifully nickeled. Perfectly constructed; absolutely safe; unexcelled in light-giving power; an ornament to any room. Every lamp warranted. If not at your dealer's, write to our nearest agency.

STANDARD OIL COMPANY (INCORPORATED)